UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
HUYNH, THU V

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/769,887	BIMSON ET AL.
	Examiner	Art Unit	
	Thu V Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 September 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-6 and 11-14</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-6 and 11-14</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment filed on -09/27/2004 to ·

application filed on 12/25/2001, which has the benefit of prior provisional filed on

01/27/2000.

2.   Claims 7-10 are canceled.

3.   Claims 11-14 are added.

4.   Claims 1-6, 11-14 are pending in the case. Claims 1 and 14 are independent claims.

5.   Rejections in the previous office action have been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   **Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by**

Bernardo et al., US 6,684,369 B1, filed 1997.

        Regarding independent claim 1, Bernardor teaches managing web contents from many

web site's companies, comprising the steps of:

                -       receiving at a content management application, a request to create updated content on

                        a content page within said company webstie (Bernardo, col.7, lines 14-16; col.8, lines

29-35; col.9, lines 48-64; col.10, lines 55-61; receiving a request to edit/update a web site, such as editing/updating images, logos, text, graphics, and other content in a web page of a company website);

-   creating an updated content page wherein said updated content page comprises component mapping data relating to said request (Bernardo, col.3, lines 29-38; col.6, lines 32-56; col.8, lines 1-37; col.9, lines 48-64; col.10, lines 55-61; creating updated content page that comprises objects, such as images, logos, text, graphics, etc., that are entered in to templates for the web page)

-   defining relationships between said component mapping data on said updated content page and said updated content (Bernardo, col.3, lines 29-38; col.6, lines 32-56; col.8, lines 1-37; col.9, lines 48-64; col.10, lines 55-61; in order to create the update content page, relationships between the object data on updated content page and updated content must be defined, such as relationships of images object in updated content page and updated image sources);

-   generating a markup language file incorporating said relationships (Bernardo, col.6, lines 44-56; col.10, lines 14-16; generating an HTML file incorporating relationships for the updated content page); and

-   storing said markup language file in a data base globally accessible by a plurality of authorized reviewers before posting said markup language file on said company web site (Bernardo, col.10, lines 14-38; col.11, lines 18-47; col.23, lines 20-48).

Claim 14 is for a computer readable medium containing instructions for performing the

method of claim 1 and is rejected under the same rationale.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35
U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the
time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the
obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly
owned at the time a later invention was made in order for the examiner to consider the applicability of 35
U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9.   **Claims 2, 5, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Bernardo et al., US 6,684,369 B1, filed 1997 in vies of Livingston, US 6,424,979, filed

1998.

Regarding dependent claims 2 and 11, which are dependent on claim 1, Bernardo does

not explicitly disclose said markup language file is in the extensible Markup Language (XML)

format.

Livingston teaches markup language comprise HTML and XML (Livingston, col.12,

lines 20-23).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Livingston's markup languages into Bernardo's markup

language to create, edit, or update content of a website, since the combination would have

facilitated generating markup language process in both popular markup languages: HTML and/or

XML.

Regarding dependent claims 3 and 12, which are dependent on claim 1, Bernardo

teaches retrieving said markup language file from said database (Bernardo, col.23, lines 20-48;

retrieving the updated web page from a link to review). However, Bernardo does not explicitly

teach translating said markup language file from a first markup language format to a second

markup language format for presentation on said company web site.

Livingston teaches translating said markup language file from a first markup language

format to a second markup language format for presentation on said company web site

(Livingston, col.11, lines 34-36 and col.12, lines 20-23).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Livingston's markup languages into Bernardo's markup

language to create, edit, or update content of a website, since the combination would have

facilitated generating markup language process in both popular markup languages: HTML and/or

XML.

Regarding dependent claim 5, which is dependent on claim 2, Bernardo teaches

retrieving said markup language file from said database (Bernardo, col.23, lines 20-48; retrieving

the updated web page from a link to review). However, Bernardo does not explicitly teach

translating said markup language file from a first markup language format to an HTML format

for presentation on said company website upon request by a user of said company.

Livingston teaches translating said markup language file from a first markup language

format to an HTML format for presentation on said company website upon request by a user of

said company (Livingston, col.11, lines 34-36 and col.12, lines 20-23; translating XML

document to pre-selected HTML document).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Livingston's markup languages into Bernardo's markup

language to create, edit, or update content of a website, since the combination would have

facilitated generating markup language process in both popular markup languages: HTML and/or

XML.

10.   **Claims 4, 6, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Bernardo in view of Livingston as explained in claim 1 above, and further in view of Bi et

al., US 6,311,178 B1, filed 09/1998 and Branson US 5,877,819, filed 04/1998.

Regarding dependent claims 4 and 13, which are dependent on claim 1, Bernardo does

not explicitly teach storing said markup language file includes storing said markup language file

in an extensible database that is platform and software independent.

Bi teaches extensible database used to serve client requests (Bi, col.8, lines 45-59).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Bi and Bernardo to include an extensible database, since

this would have allow the client/user request or queries as Bi disclosed.

However, Bi does not explicitly disclose a database that is platform and software

independent.

Branson teaches database that is platform and software independent (Branson, col.28, lines 4-11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Branson's database into Bi and Bernardo to provide a database that is platform and software independent, since this would allowed to only change the software drivers that control devices that are added or removed from the system as Branson disclosed.

Regarding dependent claim 6, which is dependent on claim 2, Bernardo does not explicitly disclose storing said markup language file includes storing said markup language file in an extensible database that is platform and software independent, wherein said markup language file is an XML file.

Bi teaches extensible database used to serve client requests (Bi, col.8, lines 45-59).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bi and Dodrill to include an extensible database, since this would have allow the client/user request or queries as Bi disclosed.

However, Bi does not explicitly disclose a database that is platform and software independent.

Branson teaches database that is platform and software independent (Branson, col.28, lines 4-11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Branson's database into Bi and Bernardo to provide a

database that is platform and software independent, since this would allowed to only change the

software drivers that control devices that are added or removed from the system as Branson

disclosed.

Response to Arguments

11.   Applicant's arguments filed on 09/27/2004 have been fully considered but they are

mood in new ground of rejection(s).

Applicants argue that Dodrill does not teach the step of "storing said markup language

file in a data base globally accessible by a plurality of authorized reviewers before posting said

markup language file on said company web site, as is similarly required by independent claims 1,

11 and 15.

However, Bernardo teaches this limitation as explained in the rejection above. Examiner

noted that there are only two independent claims (claims 1 and 14) in this application.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

D'Arlach et al., US 6,026,433, filed 03/1997, teaches creating and editing web sites.

Marcos et al., US 6,429,880, priority filed 1997, teaches method for binding user

interface objects to application objects.

Banerjee et al., US 6,795,830 B1, priority filed 09/2000, teaches technique for providing

off-host storage for database application.

Jois et al., US 6,112,242, filed 1996, teaches method for dynamic data interaction in hypertext data processing system.

Freishtat et al., US 5,945,989, filed 1997, teaches method for adding and altering content on web sites.

Ferguson, US 5,649,186, filed 1997, teaches computer-based dynamic information clipping service

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen S Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
February 18, 2005

STEPHEN HONG
SUPERVISORY PATENT EXAMINER